

**COUNCIL MINUTES  
TIGARD CITY COUNCIL MEETING  
February 25, 2003**

Mayor Griffith called the meeting to order at 6:30 p.m.

Council Present: Mayor Griffith, Councilors Dirksen, Moore, Sherwood, and Wilson

- **EXECUTIVE SESSION:** The Tigard City Council went into Executive Session at 6:30 p.m. to discuss labor negotiations and potential litigation under ORS 192.660 (1d and h).

Executive Session concluded at 6:45 p.m.

- **STUDY SESSION**

- **TUALATIN VALLEY FIRE & RESCUE BRIEFING**

Representatives from TVF&R briefed Council on the 4-alarm Manchester Apt. fire that occurred last summer. Three people were injured and damage to the complex was estimated at \$500,000. Police Department was extraordinarily helpful to the Fire Dept. during this event: evacuating the apartments, clearing the parking lot, shutting down Hall Blvd., and helping assemble individuals for the TVF&R investigators to interview.

- **TRAINING WITH CITY ATTORNEY – CONFLICT OF INTEREST, PUBLIC MEETING LAW, LAND USE MATTERS**

City Attorney Ramis conducted the training. Highlights of his training, including information distributed to the Council, are on file in the City Recorder's office.

- **ADMINISTRATIVE ITEMS**

- School Funding Issues -- City Manager updated Council with regard to a meeting he and Mayor Griffith had with Steve Clark last week. Individuals in the community have expressed an interest in looking into a serial levy proposal for the May 2003 ballot. The proposal to the voters would request some funding to assist school programs and facilities impacted by recent cutbacks. The levy would need to be from the cities' (i.e., Tigard, Tualatin, Durham) taxing authority. The School District has not approached

the City. City Manager suggested that the City work with Tualatin and the School District as this issue evolves.

- Joint Meeting with City of Tualatin and the Tigard Tualatin School District -- City Manager discussed potential meeting dates for a joint meeting with the City of Tualatin Council and the Tigard-Tualatin School District Board. The preferred date for the Tigard Council is April 3, 6:30 p.m. at the School District Administration Building.
- City Manager Monahan requested Council direction on how the public participation should be planned with regard to the Wall Street Local Improvement Discussion scheduled for March 11. Council did not establish time limits. Council will likely take public comment as follows:
  - avoid duplication of testimony.
  - if a group has a spokesperson, they would prefer that the spokesperson make comments, rather than have each person from the group speak. The spokesperson could identify how many people in the audience are with him or her. Council likely will give a spokesperson more time than would be allotted to an individual if the spokesperson is making points for a number of potential speakers.
  - the Council prefers written materials that are submitted in advance of the meeting to staff that then can be provided to the council so they can adequately prepare before coming to the meeting.
- Representative Max Williams -- Representative Williams and Senator Burdick were scheduled to visit with the Council during the business meeting. Senator Burdick was ill and could not attend. Council briefly reviewed with the City Manager issues to bring up to Rep. Williams. City Manager noted that LOC was urging cities to contact legislators with regard to a proposed bill to eliminate the cities' portion of the cigarette tax collection. It is estimated this would be a loss of \$85,000 to the City of Tigard on an annual basis.

Study Session concluded at 7:28 p.m.

## 1. BUSINESS MEETING

- 1.1 Mayor Griffith called the City Council and Local Contract Review Board meeting to order at 7:31p.m.

- 1.2 Roll Call Council Present: Mayor Griffith, Councilors Dirksen, Moore, Sherwood, and Wilson
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items:
  - JPACT Representation (See Item 7.1)

2. VISITOR'S AGENDA: No visitors.

3. CONSENT AGENDA: Motion by Councilor Sherwood, seconded by Councilor Dirksen to approve the Consent Agenda as follows:

- 3.1 Approve Council Minutes for January 14, 21, 28, and February 11, 2003
- 3.2 Approve Revision to Citywide Personnel Policies on Electronic Communication Article No. 45-0 – Resolution No. 03 - 04
- 3.3 Local Contract Review Board:
  - a. Award Contract for Engineering Services for the Hall Boulevard and Wall Street Improvement Project to DeHaas & Associates
  - b. Award Contract for the Tigard City Hall HVAC Modification Project to Portland Mechanical Contractors

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

4. DISCUSSION WITH STATE SENATOR GINNY BURDICK AND STATE REPRESENTATIVE MAX WILLIAMS

Following are the highlights of the discussion with Representative Williams:

- Cigarette tax...Rep. Williams said he does not think the proposal to eliminate the cities' portion of this tax has support and does not anticipate any immediate impacts. He advised the cities are well represented by the League of Oregon Cities and if there is a change in this situation, cities will be alerted quickly.
- State economic forecasts indicate that an additional \$300,000,000 shortfall from earlier estimates will be likely. This means there is only \$500,000,000 left in "cash." Rep. Williams noted the following options: bonding, tobacco settlement,

separate school funding from the general fund for stability, and additional cuts. Challenges: balance the budget this year and develop the new budget next year.

-Mayor Griffith noted that Senator Burdick advised that the effort to have cities pick up some of the expenses for the voter's pamphlet appears to have lost momentum. Representative Williams referred to the possibility of eliminating voters from the rolls if they had not voted in the last two years; however, this may not be possible if it conflicts with Federal law.

-Annual legislature a possibility? Representative Williams said there has been some discussion about the legislature meeting annually. Oregon is one of the few states that still meet biennially.

-Representative Williams noted the need to attend to all of the issues for which the legislature has responsibility that may not seem, to some people, as important as the budget, education, and human/social service crises.

-Follow-up measure to Measure 7? Representative Williams said he thought there was a proposal before the Environmental and Land Use Committee at this time; however, he does not think the proposal will be able to work its way through the legislature at this time.

-Final filing day for bills is March 3. There have been some rough draft proposals for overhauling the tax system. In response to a comment that those states with sales tax are also experiencing tough economic times, Representative Williams noted that Oregon is 90% reliant on a single revenue source (personal income taxes). He referred to a good article in the February issue of *Governing* magazine that features a state-to-state comparison of tax revenues.

-Allocation of transportation funds to bridges? Representative Williams said he is not sure that those decisions have yet been made with regard to allocation of transportation dollars. He said there should be some dollars available for local government; however, there has been discussion about dedicating a large share to bridge maintenance. This funding package will eventually be reviewed by Rep. Williams' committee.

-Representative Williams said as issues come up that he would welcome contacts to his office. He also spoke highly of the League of Oregon Cities representation at the legislature insofar as they are constantly in contact with the legislators and monitoring potential bills that would affect cities

5. **CONSIDER TRANSFERRING APPROPRIATIONS WITHIN THE WATER CAPITAL IMPROVEMENT PROGRAM FUND AND CREATING A NEW POSITION TO MANAGE WATER CAPITAL IMPROVEMENT PROGRAM PROJECTS**

Finance Director Prosser presented the staff report. Mr. Prosser and City Manager Monahan responded to questions raised by Councilor Dirksen with regard to adding a management position for one project. The person in this position would be working on the reservoir design, including the facilities needed for the overall water system to provide water to the reservoir. Finance Director advised that it would be more economical, because of the size of the project to perform the work in-house rather than paying a consultant. Councilor Moore suggested that for future similar proposals, that Council be given a comparison of how much it would cost to hire a consultant vs. doing the work in-house.

Motion by Councilor Moore, seconded by Councilor Wilson, to adopt Resolution No. 03-05.

**RESOLUTION NO. 03-05 – A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE WATER CIP FUND AND CREATING A NEW POSITION TO MANAGE WATER CIP PROJECTS**

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

6. **COUNCIL LIAISON REPORTS: None**

7. **NON AGENDA ITEMS**

7.1 **JPACT Representation:** After brief discussion, motion by Councilor Moore, seconded by Councilor Dirksen, to authorize the Mayor to cast the ballot for JPACT representation with Tigard supporting Beaverton Mayor Rob Drake as the Washington County Cities representative and Tualatin Mayor Lou Ogden as the alternate

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

8. EXECUTIVE SESSION: Not held.

Business meeting concluded at 8:18 p.m.

Council reconvened in Study Session at 8:25 p.m. to discuss the following administrative items:

- STUDY SESSION (continued)

- Administrative Items

- Draft ordinance – Park & Recreation Board -- Council reviewed the draft ordinance prepared by City Manager Monahan. City Manager will review the established process set by a Council resolution to determine if it's necessary to add wording about selecting alternate board members. Council agreed that it would be a good idea to have an ex-officio member on the board from the School Board. Council also wanted to be able to appoint other ex-officio members as deemed necessary by the City Council (Section 4).

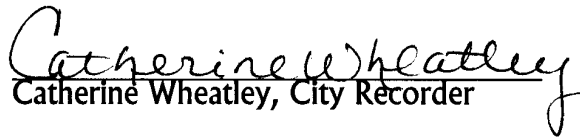
Wording such as “on issues such as” should be added to section 5 prior to the list of Board responsibilities, so the responsibilities are not limited to the list.

Council consensus was that make-up of the board should be representative of the general public rather than a special-interest individual for one sport or facility.

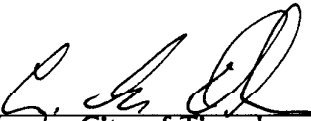
- Business Education Compact -- Council members supported Councilor Dirksen's suggestion that Mayor Griffith be nominated for an individual achievement award for his Youth Forum work.

- Social Service & Community Event Grant Requests -- Council reviewed a memorandum from City Manager Monahan. Council agreed that the allocation to social services and community events would be reduced by 10% as is being done for all city departments.
- Mayor's Prayer Breakfast -- Mayor Griffith and Councilors Sherwood, Wilson, and Dirksen indicated they would like to attend this event scheduled for May 7, 7-9:15 a.m. at the Greenwood Inn.
- E-Mail Messages to Council -- City Manager Monahan noted that the usual process when e-mails are sent to the Council at City Hall, a generic acknowledgement response is prepared and sent by staff. Staff does not prepare an individual response representing a Council member's position on an issue without consulting or receiving direction from the Mayor or a Councilor.
- Employee Recognition Event – March 7, 3-4 p.m. in Town Hall - Mayor Griffith and Councilors Moore, Sherwood, and Dirksen advised they would attend this event.
- Budget Committee Meeting Schedule – Budget Committee meetings are scheduled for:
  - Monday, March 24, 6:30 p.m. TVF&R Com. Rm.
  - Monday, April 28, 6:30 p.m., Library Puett Room  
(Two meetings above are for training for new or a refresher for returning Budget Committee members.)
  - Regular Budget Committee meetings – May 5, 12, 19, 6:30 p.m., Water Building Auditorium.
- School Funding Issues - More discussion was held. (See Study Session notes at beginning of meeting.) City Manager Monahan suggested that Council wait to see what comes of discussions going on in the community. There's a possibility that if a serial levy is placed on the ballot under the City's taxing authority that some City programs and services (SRO's, park maintenance) could be listed for funding within the proposed measure. Council will be kept informed as plans are developed; information will be funneled through the Mayor and staff.
- Haggens Grand Opening -- Mayor will be at the Ribbon Cutting, February 26, 8 a.m.

9. ADJOURNMENT: 9:59 p.m.

  
Catherine Wheatley, City Recorder

Attest:

  
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Mayor, City of Tigard  
Council President  
Date: 4.22.03

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